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Indian Child Protection and Family Violence Prevention Act Amendments of 2006

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Native Americans

Introduced: Oct 20, 2005

Current Status: Executive Comment Requested from Interior, HHS.

Latest Action: Executive Comment Requested from Interior, HHS. (Sep 11, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/1899>

Sponsor

Name: Sen. McCain, John [R-AZ]

Party: Republican • **State:** AZ • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Crapo, Mike [R-ID]	R · ID		Oct 20, 2005
Sen. Dorgan, Byron L. [D-ND]	D · ND		Oct 20, 2005
Sen. Inouye, Daniel K. [D-HI]	D · HI		Oct 20, 2005
Sen. Johnson, Tim [D-SD]	D · SD		Mar 27, 2006

Committee Activity

Committee	Chamber	Activity	Date
Indian Affairs Committee	Senate	Reported By	May 18, 2006
Judiciary Committee	House	Referred To	Sep 7, 2006
Natural Resources Committee	House	Referred To	Sep 7, 2006

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

No related bills are listed.

Indian Child Protection and Family Violence Prevention Act Amendments of 2006 - (Sec. 4) Amends the Indian Child Protection and Family Violence Prevention Act to require a local law enforcement or local child protective services agency's final written report on the investigation of any child abuse allegation to include any federal, state, or tribal final conviction. Requires transmission of a copy of the report to the Federal Bureau of Investigation (FBI).

Requires the FBI to maintain a record of each written report in a manner accessible to: (1) a local law enforcement agency that requires the information to carry out an official duty; and (2) any agency requesting the information for character investigations.

Requires the FBI Director, in coordination with the Secretary and the Attorney General, to report annually to specified congressional committees on child abuse in Indian country.

Requires the Secretary of the Interior to collect annually any information relating to: (1) the number of criminal and civil child abuse allegations, investigations, and prosecutions referred, declined, or deferred in Indian country; (2) the number of child abuse victims reported in Indian country; (3) sentencing patterns of individuals convicted of child abuse in Indian country; and (4) related rates of recidivism.

Prescribes confidentiality guidelines for dealing with alleged child abuse victims.

(Sec. 5) Directs the Secretary to identify and report to specified congressional committees on any impediment to the reduction of child abuse in Indian country and on Indian reservations. Repeals the requirement for a study of the feasibility of establishing a Central Registry for reports on child abuse in Indian Country.

(Sec. 6) Modifies confidentiality requirements to treat an Indian tribal government as an entity of the federal government for purposes of interagency sharing of child abuse incident investigation or treatment information.

(Sec. 7) Allows for forensic examinations without parental consent if local child protective services or local law enforcement officials have reason to believe that the child has been subject to abuse.

Requires any examination or interview of a child who may have been the subject of child sexual abuse to avoid, to the maximum extent practicable, subjecting the child to multiple interviews during the process.

(Sec. 8) Requires character investigations of individuals in voluntary positions which involve regular contact with, or control over, Indian children.

Specifies child abuse and child neglect among the offenses to be included in a criminal records check portion of a character investigation.

Provides that an Indian tribe that submits a written statement to the applicable state official documenting that it has conducted a background investigation for the placement of an Indian child in a tribally-licensed or tribally-approved foster care or adoptive home, or for another out-of-home placement, shall be considered to have satisfied the background investigation requirements of any federal or state law.

(Sec. 9) Extends the authorization of appropriations for the Indian child abuse treatment grant program for FY2007-FY2011.

(Sec. 10) Revises requirements for Indian Child Resource and Family Services Centers. Requires establishment of such Centers in Bureau of Indian Affairs (BIA) Regional Offices (currently, area offices). Requires the Attorney General to participate in Memoranda of Agreement providing for staffing of a Center.

Requires the multidisciplinary team personnel of a Center to include individuals with backgrounds in adolescent mental and behavioral health (including suicide prevention and treatment), sexual assault, criminal prosecution, and medicine.

Requires the consent form signature of an official of each Indian tribe or tribal consortium on the application to operate a Center located in any BIA Regional Center serving more than one tribe, or a Center located in the Alaska Region.

Authorizes appropriations for FY2007-FY2011.

(Sec. 11) Authorizes the Indian Health Service (IHS) to enter into any contract or agreement for the use of telemedicine with a public or private university or facility, including a medical university or facility, or any private medical or behavioral health professional, experienced in pediatrics, to assist the IHS in diagnosing and treating child abuse. Defines a medical or behavioral health professional as an employee or volunteer of an organization that provides a service as part of a comprehensive service program that combines: (1) substance abuse (including abuse of alcohol, drugs, inhalants, and tobacco) prevention and treatment; and (2) mental health treatment.

Authorizes appropriations for FY2007-FY2011.

Actions Timeline

- **Sep 11, 2006:** Executive Comment Requested from Interior, HHS.
- **Sep 6, 2006:** Received in the House.
- **Sep 6, 2006:** Referred to the Committee on Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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- **Aug 4, 2006:** Message on Senate action sent to the House.
- **Aug 3, 2006:** Measure laid before Senate by unanimous consent. (consideration: CR S8879-8884; text of measure as reported in Senate: CR S8879-8881)
- **Aug 3, 2006:** The committee substitute as amended agreed to by Unanimous Consent.
- **Aug 3, 2006:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S8882-8884)
- **Aug 3, 2006:** Passed Senate with an amendment by Unanimous Consent. (text: CR S8882-8884)
- **May 18, 2006:** Committee on Indian Affairs. Reported by Senator McCain with an amendment in the nature of a substitute. With written report No. 109-255.
- **May 18, 2006:** Committee on Indian Affairs. Reported by Senator McCain with an amendment in the nature of a substitute. With written report No. 109-255.
- **May 18, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 436.
- **Mar 29, 2006:** Committee on Indian Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 15, 2006:** Committee on Indian Affairs. Hearings held. Hearings printed: S.Hrg. 109-478.
- **Oct 20, 2005:** Introduced in Senate
- **Oct 20, 2005:** Sponsor introductory remarks on measure. (CR S11666-11667)
- **Oct 20, 2005:** Read twice and referred to the Committee on Indian Affairs. (text of measure as introduced: CR S11667-11669)